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ABSTRACT

The pamphlet is designed to help teachers, administrators, and parents understand the meanings, implications, and methods of censorship in public schools. Censorship is defined as "any limitation placed on a curricular choice for the wrong reasons." A test of the validity of a censorship case lies in the justifications offered for the restrictions. One section discusses the rationale for censorship. Of utmost importance is the giving of reasons for expressed preferences and the comparing and weighing of favored reasons against all others put forward. Roles of the school are to provide for the development of the physical and mental health of students, sustain the personal dignity of all individuals, stand for rationality and against irrationality, and promote global-mindedness in students. Problems in resolving censorship cases involving curriculum decisions reflect any of three possible models of community and school relationships. These range from complete community faith in professional educators' decisions to equal participation by community and professionals in decision making. Another section illustrates principles of rational valuation applied to a case of censorship of certain books in a humanities course. An appendix provides texts of seven NCSS statements on academic freedom, controversial issues, and civil rights. (AV)

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The Censorship Game and How To Play It

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C. Benjamin Cox

With an Appendix of
NCSS Statements on Academic Freedom, Controversial Issues, and Civil Rights

SO 010 230

Bulletin 50

NATIONAL COUNCIL FOR THE SOCIAL STUDIES

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A Hoosier by birth, as of 1925, Benjamin Cox has spent the last 30 years in social studies education in Indiana junior and senior high schools and in Indiana and Illinois universities. He is presently a professor of education at the University of Illinois at Urbana-Champaign. His writings include *Inquiry in Social Studies* and *Social Studies in the United States* with Byron Massialas, and *New Strategies and Curriculum in Social Studies* and *Secondary Schools in a Changing Society* with Frederick Smith.

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Foreword

What is school censorship? C. Benjamin Cox, the author of this interesting and useful bulletin, asserts that "censorship in schools is any limitation placed on a curricular choice for the wrong reasons." Note that censorship is not merely placing restrictions on what curricular choices are made. The censorship test lies in the justifications offered for the restrictions. Some reasons are warranted; others are not.

What is a game? Typically games are conceived of as contests between two or more players who are competing for the same goal. Games have rules, public outcomes, strategies, and standards for good and bad performance. Normally, they also have winners and losers, although some games are deliberately constructed so that all players must win or all will lose. Playing a game is supposed to give pleasure to the participants. And how one plays the game—that is, with what levels of skill and sportsmanship—may be nearly as important as winning itself.

Fights are also contests, but they are not games. In a fight, winning is usually the only worthy outcome. Skill, style, and fair play are often far less important. Fights may be exciting, but they rarely give pleasure except to the most sadistic winner and the most masochistic loser.

Censorship battles over curriculum materials or instructional practices usually resemble fights. Professor Cox believes they could be made into games and indicates in the pages that follow why this is desirable and how it can be done. While contests between social studies teachers and lay persons over what should be taught may never replace tennis or checkers for sheer delight, playing according to the rules described here should make the combat more rational and more civilized. Furthermore, it might ensure a greater opportunity for students to become winners.

How to handle controversial issues is not a new concern of social studies educators. Fortunately, Professor Cox has taken an old and persistent issue and showered it with refreshing new insights. We can be grateful that he turned his imagination to a topic of lively interest to all NCSS members.

HOWARD D. MEHLINGER, *President*
National Council for the Social Studies

I. Introduction to the Censorship Game

The censorship game may not be the only game in town for teachers; but it ranks among the most chancy. Losing the game can cost you your job. Even winning can cost you lots of money. Win or lose, your reputation and self-respect are at stake.

Teachers who believe that academic freedom must be protected at any cost should prepare themselves to pay. "Such arrogance deserves its comeuppance!" some critics in the community who see the claim of academic freedom in schools as overweening will cry. "Who do those teachers think they are, telling us what our kids should learn in school?"

Others imagine teachers furtively designing curriculums behind the screen of academic freedom to undermine parental and community values. "Parents have a right," says Terrel H. Bell, "to expect that the schools, in their teaching approaches and selection of instructional materials, will support the values and standards that their children are taught at home."[1] Teachers who see academic freedom as neither an arrogant ploy nor a furtive screen but as a mainstay of rationality in schools, as well as teachers who are tempted to respond to Commissioner Bell's statement with a resounding "Poppycock!", are ripe for playing the censorship game.

Since censorship is generally a defensive game for teachers, most strategies are designed to help them cut their losses. Acquiescing at the first sign of conflict, for example, may be an effective defense strategy when a teacher's employment is at stake. *Manchild in the Promised Land* and *The Communist Manifesto* can be tactical ransoms for a renewed contract.

Despite the strategic importance of compliance, power plays are sometimes effective in censorship games. Meeting the censor head-on may be the only option available if self-respect is to be maintained. Power plays have unpredictable results in school affairs, however. Being right is irrelevant when power is invoked. It is votes or possibly prestige that count. When a community is aroused by a censor's challenge, as in the battle of the books in Kanawha County, West Virginia, votes and prestige may both be in short supply for teachers.[2]

Another censorship game strategy offers some advantages for teachers who, in the cause of academic freedom, aim to keep their "dirty books" and who also prefer to keep their jobs and self-respect. The strategy entails an interactive dialogue among the players that aims to rationalize the rules of the game. When the rules are rational, everyone's chances of winning in the long run are increased.

In Section II of this bulletin, a rationale for this "rational game plan" is developed. It is recommended reading for those who would like some early organizers for the tactics illustrated in Section III. For those who prefer to take their learnings inductively, a hasty leafing directly to Section III is in order. A leisurely return to the rationale, however, will serve to test whatever theoretical inferences are drawn from the illustration.

[1] T. H. Bell, "Schools, Parents, and Textbooks," speech prepared for meeting of School Division, Association of American Publishers; Cherry Hill, New Jersey, December 2, 1974, 12:30 p.m.; in Education Daily Special Supplement, Capital Publications, Inc., Suite G-12, 2430 Pennsylvania Avenue, N.W., Washington, D.C. 20037, mimeo, December 5, 1974.

[2] *Inquiry Report, Kanawha County, West Virginia: A Textbook Study in Cultural Conflict*, National Education Association, Teacher Rights Division, Washington, D.C., February, 1975, pp. 58-62.

II. Rationale for a Rational Game Plan

Occasionally schools and teachers are taken to task by someone in the community for doing something they should not be doing, or for not doing something they should be doing. Neither of these complaints is improper. Everybody has a right to say, "I like this and I want the school to do it"; or "I don't like that and I don't think schools ought to be doing it." That right extends from community membership, not from any more specialized classification as educator, citizen, adult, parent, or taxpayer. However, if one decides to be rational about it (deciding to be irrational seems unthinkable), the right to speak out carries with it a responsibility to participate in the examination of "likes," "wants," and "oughts." That examination, given the decision to be rational, implies the giving of reasons for expressed preferences and the comparing and weighing of favored reasons against all others put forward.

Participating in a Rational Dialogue on Curriculum Decisions

If living up to the responsibilities of community participation commits us to a rational dialogue, then such participation in normative matters (i.e., where values are at stake) requires us to say *why* we like (or dislike) something and, furthermore, why that is a good reason for liking (or disliking) it. When the further obligation to compare and weigh the best reasons brought forth is met, the community participants are challenged to clarify, if not discipline, their valuing.

When the community is involved in a rational valuation process applied to an educational problem, the process leads to the judgment that the educational practice or material under question is either "good" or "bad" (that, after all, is the ultimate purpose of the process); however, the emphasis along the way is on the reasons put together by the school and community participants to support the judgment. That is, the focus is on the rational consideration of the standards and criteria that are applied to the object under question. Of course, these well-considered standards are not applied in a vacuum. Questions of description (facts), definition (concepts and meanings), explanation (causation and deduction), and prediction (consequences) are the logical underlayment of valuation. The assumption is that in order for an object to be evaluated, it must also be subjected to these several classes of questions.

School problems that involve the making of choices among options are problems of valuation. Among such problems faced by schools are the curricular choices of programs, courses, materials, topics, lessons, and activities organized for pupils.

While each of these represents a single choice, curriculum choices often occur in a chain. Program choices are made, then course choices are made, then material choices are made, and so on, though not necessarily in that order. Since each decision is, more or less, a discrete one, it is appropriate to ask for a justification at each point (link) along the chain. But since each choice is a link in the chain, a part of each justification makes reference to the other links in the chain of choices. For example, if the question is asked, "How do you justify that lesson?", it is appropriate to answer, in part, that the lesson is logically entailed in a course, includes the treatment of topic "A," is nicely introduced in the text, and leads directly to activity "B." While these reasons may be thought of as necessary to the justification of the lesson, they

do not present sufficient reasons for teaching the lesson. Other aspects of a more complete justification will be considered later.

Furthermore, most curriculum decisions are comparative choices. For every course, lesson, or text that is selected, several other competing courses, lessons, or texts are rejected. The presumption (not always fulfilled) is that each competitor is rejected explicitly, not simply overlooked. The entire group of objects that could vie for selection at any point on the chain of choices is called the "comparison class." One reason for determining a class of comparison is to identify as many of its "members" as possible. Another is to ensure that the same standards and criteria are applied to every known member of the class. One member presumably will rank as the best of the class because it fulfills the criteria of selecting the best of the lot.

When a teacher makes an offending curriculum decision, the outraged person or group in the community may try in a number of ways to get the decision changed. If the teacher refuses to change the choice on the ground of academic freedom or for some other reason, the administration or the school board may be pressured into censoring the teacher's choice. This situation assumes that censoring is done by official bodies, such as governments and arms of governments (school boards) or their functionaries (administrators). Private individuals and groups do not censor, *per se*, unless by some power or another they can enforce a desired restriction. Nevertheless, members of the community, as suggested earlier, have a right to question whatever choices teachers make in their work as teachers. Moreover, a school board, the likely censor in curriculum matters, has the legal (and possibly moral) right to question the curriculum decisions of its teachers and to forward or reject any curriculum challenges from the community. (Arbitrariness in this regard might foment an accountability flap, of course.) Reflecting the notions of participation and valuation, both the community's and the board's "right to question" *is the right to test the justification* for a curriculum decision.

Given all the possible restrictions that communities, school boards, and administrators could impose, it is useful to ask whether schools, classrooms, teachers, and students ever enjoy academic freedom. That question is relevant even if we think of being free in the limited sense of being unfettered by *unwarranted* constraints.[3] Given a general understanding of the human condition, we are probably justified in asserting that schools are not free (though we may believe that they should be). Obviously, in order to support the assertion that schools are not free, we have to know what the *unwarranted* constraints are. However, we cannot give an accounting of these without knowing first what restrictions are *warranted*, if indeed there are any. Without this understanding, we may judge hastily that a teacher who is prevented from using a given book in school is being subjected to an unwarranted constraint when, indeed, the prohibition was justified, as we may later discover.[4]

A Rationale for Schools

Despite Justice Hugo Black's strikingly terse affirmation for liberty of the press in

[3]Professor Robert Ennis would suggest that I may be taking unfair advantage of my audience at this point by posing a programmatic definition that has hidden value assumptions. Accepting the definition commits us to a controversial belief. Mainly, the definition asks us to assume that some restraints are warranted. See Robert H. Ennis, *Logic in Teaching*, Prentice-Hall, Inc., Englewood Cliffs, N.J., 1969, pp. 177–180.

[4]I say this in full knowledge that it is possible to declare a standard that makes all such prohibitions unjustifiable. Justice Hugo Black insisted he did not have to read *Lady Chatterley's Lover* to judge whether or not it should be censored. The Constitution guarantees freedom of speech, he said; and that is that!

the *Lady Chatterley's Lover* case, his dictum may not hold for schools. In order to support that conclusion, a case must be made for warranted constraints in the setting of the school. What would make the prohibition of a book in a school (or any other restriction on schools or school persons, for that matter) a justifiable act? An attempt to make that case begins with the assertion of a set of warranted restrictions on schools.

(1) Practices and content are warrantably restricted from schools and classrooms if they are damaging to the students' physical or mental health or personality development. (2) Practices and content are also properly excluded from schools and classrooms if they are damaging to the development of a more just society or if they are destructive of the personal dignity or worth of any individual in the society. (3) Practices and content are justifiably excluded from schools and classrooms if they oppose the canons of rationality or inhibit the development of rationality in schools.

While these exclusions or restrictions are postulated for schools in American society, the rationale underlying them may well be applicable to schools anywhere, inasmuch as it has relevance for human beings anywhere. It refers to the fullest development possible of rational human beings in the only settings where that is possible: in just societies. Considering this human context of educational practice, another warranted restriction on schools and classrooms is suggested. (4) Practices and content that stand in the way of developing global-mindedness in students are warrantably ruled out of schools and classrooms. The prohibition assumes that the development of justice in any society, the necessary condition for developing the whole person, is somehow dependent on the development of justice in all societies. That problem, as in fact are many problems, is, at base, a global one, not simply a national one.

The rationale implied by this set of restrictions on the freedom of schools includes the following postulates, given here as positive statements reflecting the prohibitions appearing in the preceding two paragraphs.

- Schools should provide for the development of the physical and mental health and the personality of students.
- Schools should further the development of a more just society.
- Schools should sustain the personal dignity and worth of all individuals.
- Schools should stand for rationality and stand against irrationality.
- Schools should promote the development of global-mindedness in students.

Accepting the rationale underlying these postulates commits us to the following judgments. (1) Content and practices in schools that fulfill one or more of these criteria and do not prevent the fulfillment of any other one or more of them are justifiable: (2) Content and practices in schools that *prevent* the fulfillment of one or more of these criteria, even though they fulfill one or more others, are not justifiable. Thus, a practice that provides for the development of students' personalities, but does so in a way that causes them to reject rationality is not justifiable in a school program. As such, it can be warrantably prohibited. However, a practice that helps develop students' personalities and has no relevance to any other of the criteria is a justifiable activity. In that case, according to the rules being developed here, the practice should be allowed.

In addition to these allowances and disallowances, (3) a practice or content that fulfills other purposes not included in the rationale *may* be justifiable if it does not in some manner *prevent* the fulfillment of any of the primary criteria. For example, schools may have as an ancillary purpose the preparation of students for vocational

employment. If the vocational training does not stand in the way of personality development, a commitment to rationality, the maintenance of human dignity, or any other primary criterion, it would seem perfectly justifiable. It could, of course, contribute to any or all of the primary criteria. In either case, it would not be prohibited by these criteria.

It has already been noted that other standards with less warrant are sometimes used to restrict schools. When these other standards are employed, the censorship game has begun. The restriction of practices and materials in schools on the basis of anything other than "acceptable" standards and criteria is properly called censorship.

The Politics of Curriculum Decisions

The book battle of Kanawha County is a classic case in point. As a case study in censorship, it illustrates the polarization of criteria as an effect of community/school isolation. The application of seemingly irreconcilable criteria by the battling groups had the further consequence of substituting a political solution for a professional decision concerning the use of certain books in school.

While the Kanawha conflict might have occurred regardless of what the schools did to avert it,[3] the experience there, as analyzed by the NEA Panel, suggests that curricular decisions have at least two dimensions. One of these is the professional dimension. In this dimension abide the universal school postulates listed above, as well as other valuables in the educational keep. However, curricular decisions also have a political dimension. Curricular choices affect people. Students and teachers naturally are always influenced; but sometimes parents and other persons in the community also become implicated. On occasion (witness Kanawha County), the community involvement becomes so intensely political that professional criteria are pre-empted. A choice that ought to be made on its educational merits is decided by political power.

Teachers who think of themselves as professionals are understandably reluctant to share the responsibility for technical curriculum decisions with laypeople. Professional persons claim special technical competency to make technical judgments. Moreover, when a professional group is held in high regard in a community, its professional bailiwick also enjoys great protection. Groups with high professional status in their communities are not severely intimidated by laypeople attempting to intervene politically in their professional valuations.

The problem is that teachers are not universally accorded high professional status. It is not an uncommon belief that the education of teachers imparts no special competency beyond that possessed by the average person on the street. One consequence of this belief is that teachers may not be trusted to exercise technical judgment. Moreover, some observers do not believe that the curricular choices that teachers make in their work are actually technical in nature. It seems quite proper to such persons to compel teachers to submit their curricular choices to a political test. Notwithstanding, teachers in their more sanguine moments continue to hope that eventually there will be a recognition of the technical nature of their work as well as an appreciation of their special technical competence. Those gains should result in higher professional status. That, in turn, would allow teachers' technical decisions to take precedence over political decisions about curriculum matters. In the meantime, while they await the superordination of their professional status, teachers must live in an en-

[3] *Inquiry Report*, *op. cit.*, p. 62.

vironment where professional decisions are liable to political review.

A distinction must be maintained between political review which aims to preempt professional choice and political review which was defined earlier as the community's right and responsibility to participate in a rational dialogue on curriculum matters. When members of the community participate in a rational dialogue on curriculum matters, they share their preferences and reasons. Moreover, their participation entails a commitment to hear and consider the preferences and reasons of others, including those of the professional staff.

That sort of participation by the community could presumably be accommodated by teachers. In some ways it may be the best arrangement possible. Teachers who learn to trust the situation may come to recognize it as an opportunity to expand their educational function beyond the confines of their classrooms through the exploration of Fantini's question, "What can these persons learn about the nature of education and schooling in order to participate effectively in decisions about education and schools?"[8]

Maintaining teacher/community interaction on curriculum questions is in fact one way of defusing the political bomb hidden in the ballot box of many school board elections. In Kanawha County, an elected school board member, in raising the issue of textbook selection, lit the fuse to the political bomb that nearly blew the schools out of the education business. In that instance, the meticulous distinction of professional and lay functions in a curricular matter was tragically dysfunctional.

In this discussion of the political dimension, three possible models of the politics of curricular decisions have been suggested. First, the idyllic model poses a careful distinction between the professional realm and the community realm. When such distinctions are made, curriculum decisions, supposedly fraught with technical complexities and theoretical associations, are properly made by professionals. Thus, decisions about courses, materials, and activities in schools are made by teachers who have the technical competence to deal with such matters. The community, which honors the professionalism of its teachers, supports these choices as it supports the technical decisions of other professionals in the community.

In a second model, professional and community distinctions are also drawn as in the first instance. However, members of the community are not of a mind to honor the distinctions because they deny the technical nature of the decisions the professionals claim a right to make, or because they have no faith in the technical competence of the professionals, or because they believe the distinctions are unwarranted efforts to deny them some legitimate voice in a public matter. Thus, they turn to political means to rectify the matter.

In the third model, the choices to be made are seen as having both professional and public dimensions. In an effort to accommodate both professional and community prerogatives, a continuing interaction is established where the preferences and standards of the two groups are expressed and responded to. By maintaining a rational dialogue, the impulse for a purely political solution is abated.

Probably none of these models exists in pure form anywhere. There are some places, one would imagine, where the first paradigm continues to be idealized. There is a sense in which all of us who profess special skills would like to be left alone to do our own "thing." The preferability of such a condition is mooted by visions of technocracies where the elites make deci-

[8] Mario D. Fantini, "Participation, Decentralization, and Community Control," *The National Elementary Principal* 48:31, April, 1969.

sions and the commoners do what they are told.

In Kanawha County, the second model comes close to having been implemented. At least the characteristics of professional and public isolation and political recourse are clearly visible in the accounts of that tragic affair. Some would have us believe that Kanawha County is our pluralistic nation in microcosm.

The third model emerges as the most rational choice among them. Notwithstanding the fears that unbridled community participation in curriculum matters would effectively decredential teachers, the implementation of the interaction model would present a condition in which the standards and preferences of everyone can get a hearing. Given an atmosphere of mutual trust (that, in itself, is not a little idyllic), a proper balance of professional and public goals can be developed and maintained.

The Criterial/Context Structure of a Rational Dialogue

When a rational dialogue is established between the teaching profession and the community in the face of a curriculum choice, something like the following

— *See page 11* —

emerges as the criterial/context structure of that dialogue. The boxes on the left (1, 3, 5, and 7) present criteria, sources of criteria, and contextual factors drawn from the special domain of teachers and other professional school persons. Box 1 contains criteria extracted from the universal rationale for schools postulated earlier in this bulletin. In Box 3 is a list of some (by no means all) special purposes that schools may embrace. In Box 5 are the several curricular choices that teachers make; and in Box 7 is a set of school conditions that may be expected to affect many curriculum decisions.

The boxes on the right (2, 4, 6, and 8) contain criteria, sources of criteria, and contextual factors from the public domain of persons in the community (including school personnel, naturally) or of the community at large. Box 2 contains references to some basic democratic ideals. There is no attempt to achieve philosophical perfection in this characterization; but the listing is defensible. In Box 4 is a sample of special needs and goals often voiced by communities. Different places would naturally have different special needs and goals. As an illustration, the listing is as good as any. Box 6 contains a set of programs and services found in most communities that supplements or parallels the curricular offerings of schools. Box 8 contains a list of pertinent factors that may have great effect on what schools can (or should) do.

As indicated, the criteria in Boxes 1 and 2, the criteria implied in Boxes 3 and 4, and the criteria derivable from the purposes, goals, and objectives in Boxes 5 and 6 are candidates for justifying any curricular decision in the light of the contextual factors in Boxes 7 and 8.[7] In the face of making a particular choice—say, the selection of a United States history text—the valuators might begin by testing the match of the descriptive characteristics of the competing texts with relevant professional criteria.

"Do any of the texts under investigation (or Which texts among the comparison class)," they ask, "fit the curricular choices already made and justified? Which facilitate the choices yet to be made among the chain of choices? Which of these texts would best promote the school's main purpose?"

[7]Readers will recognize a certain looseness in the language used here to assign the criterial or contextual content of the eight boxes. In fact, the boxes are all both descriptive (contextual) and normative (criterial). To say, for example, that the tax support of a school district is based on a property evaluation of $1,000,000 at a rate of $1.25 per $100 is obviously descriptive. To raise questions as to whether that support is adequate, how much should be made available for new programs, or which of several curriculum choices must be sacrificed is to use the context in a normative way.

Criterial/Context Structure of a Professional/Community Rational Dialogue

From the viewpoint of the community, the question is raised, "Do any of the texts (or which of the set) violate any of the community limitations voiced by community members?" If it is ascertained, for example, that there would be a violation of a strong religious belief held in the community if the professionally favored text were selected, the question is addressed, "Can the violation be avoided (by selecting another text, for example) without denying the professional criteria judged already to be adequately fulfilled by the presently favored text?"

When two criteria are contradictory in that they lead to contrary judgments, we must decide which, under the circumstances, is the better reason. Do we conclude, "We *should* adopt the text because it is organized around hypothesis testing (critical thinking skills), even though it takes a cynical view of religion in America"? Or do we conclude, "We *should not* adopt the text because it takes a cynical view of religion in America, even though it is organized around hypothesis testing"? Sometimes such a conflict can be settled with reference to some other and possibly higher community or professional criterion that can help us determine which of these opposing criteria should take precedence in this instance. We might be able to say, "In cases such as this, intellectual standards should take precedence over religious standards."

Obviously the rational dialogue is barely begun in these four paragraphs. A few general observations may help in imagining how it would proceed.

Four interrelated lines of development are pursued in the dialogue. These can be summarized as stating facts, testing relevance, establishing precedence, and judging reasons.

In stating facts, the attempt is to make accurate descriptive statements about the object or objects under examination. The only test applied to these statements is that they be true. Rationality is bypassed if conjecture, guess, and opinion are substituted for facts.

In testing for relevance, it must be shown that the facts are believed by someone to be important enough to mention and that they are logically related to the criteria expressed in the dialogue. Moreover, it must be shown that the criteria fit logically with the conclusion drawn in the argument that is formulated.*

In establishing precedence, the criteria are ranked in order to determine which will govern the judgment when conflicts occur. The first-ranked criterion takes precedence over all other criteria in the case of an unresolvable conflict.

In judging reasons, one aims to determine which reasons offer the best support for a rating. Ranking criteria is one kind of reason-judging activity. As a general guideline in ranking, a hierarchy is assumed in both the professional and community criterial structure boxes. Primarily, that means that the Universal School Criteria rank higher than Special School Purposes, which, in turn, rank above the narrower criteria referred to as the Chain of Choices when offered as reasons for a rating. Likewise, Universal Democratic Ideals would ordinarily be thought of as providing more important reasons than the Special Needs and Goals of the Community, which, in turn, would usually rank above the purposes, goals, and objectives of Pertinent Community Functions where offered as reasons for a rating of a curricular object.

As we cautioned earlier, these lists of criteria are put forward only as examples. They are likely to vary considerably from

*The basic logical operation in a rational dialogue is a deductive argument where the criterion is the first premise, a description of the object being evaluated is the second premise, and a rating of the object is the conclusion. This accounts for all the concern with logical fit and relationship.

place to place. One purpose of a dialogue is to get these criteria asserted so they may function openly.

The lists of factors under School Conditions and Community Conditions are more a part of the reality context of the dialogue than of its criterial structure, although, as was demonstrated earlier, contexts have their criterial aspects. They may set limitations or offer possibilities. In either case their function is very real. In some cases little or nothing can be done about them. It may be impossible to alter the school population or the demography of a community. Nonetheless, when such a condition is advanced as the reason for the censoring of a curricular choice, it is useful to determine whether the reason is a proper justification or only a rationalization. It may be possible to identify a feasible remedy for an apparent limitation, especially if the participants are clear about the ideal which is being sought.

The sense of this discussion can be summarized as follows. Censorship in schools is any limitation placed on a curricular choice for wrong reasons. There are, nevertheless, many right reasons for placing limitations on curricular choices in schools. Some of these were proposed as universal prohibitions earlier in this bulletin. Other justified limitations not properly labeled censorship might well emerge in the kind of rational dialogue described above. In very precise terms, that means that a limitation placed on a curricular decision on the grounds of a justified professional or community criterion that in a rational dialogue is judged to take precedence over all other criteria, or is judged not to conflict with other precedential criteria, cannot correctly be called censorship. However, a limitation placed on a curricular practice on the grounds of either a professional or a community criterion that contradicts another criterion that in a rational dialogue is given precedence in a situation is correctly called censorship. Moreover, a limitation placed on a curricular choice without the benefit of supporting reasons or supported by reasons that are excluded from the valuative process of a rational dialogue is also correctly labeled as censorship.

The Touchstone Assumption of a Rational Dialogue

A meaning for this discussion of censorship and rational dialogue can emerge only in an application of the ideas it presents in real school districts and real communities where professional and community values are at odds and where the threat of censorship lurks. That, unfortunately or not, may be nearly everywhere. We are blessed or damned with a multi-culture, -ethnic, -racial, -class society that just about assures value conflicts at every turn. However, a basic assumption used here to support a professional/community dialogue as a means of avoiding the censor's heel is that there is a value core that functions as a touchstone for myriad personal, professional, and community value systems in this society. Earlier, some candidates for these touchstone values were nominated in Boxes 1 and 2 of the Criterial Structure. One way of expressing this touchstone relationship is to say that the standards and criteria used by most (one hesitates to say all) persons and groups in the society to justify value judgments are themselves justified at some level of abstraction by the super standards and criteria in this assumed value core.

Not everyone can agree with this "touchstone assumption." A belief that the society is in the midst of a thoroughgoing change that cuts through to its basic values may well deter some from participating in a valuative dialogue with anyone. "It would be useless," they might say. "We would only argue." That would seem to obviate any other than a political resolution to dis-

agreements. That, in turn, could mean that every issue of censorship would be a test of power.

If that is the case—and the arguments of those who embrace the crisis hypothesis are persuasive, if not compelling—then the task of those who would avoid raw political solutions to community/professional value disagreements is noticeably complicated. One way of illustrating this complication is to think of the Universal boxes in the Criterial Structure as empty—or, worse, as filled with contradictions. The position taken here, however, suggests that whether touchstone values are in functioning order or not, the tasks are not different in kind. What is required in any case is a rational dialogue among and between members of the profession and the community. In one instance, the intent would be to *elucidate* and apply the basic values belonging to all points of view when they are called upon to validate criteria. In the other instance, the interacting participants would have to *develop* and *formulate* or *sort out* the basic values (undeniably, prodigious undertakings) before they could attempt to apply them.

III. Application of Principles of Rational Valuation to a Censorship Case

The last part of this bulletin illustrates the application of several of the principles of rational valuation to a censorship case. It may be helpful to think of the dramatization within the metaphor of the censorship game. From time to time the play will be interrupted to allow for the inference of some rules for playing the game rationally.

A Hypothetical Dialogue: Gleaning Some Rational Rules for the Censorship Game

Suppose a superintendent of schools has been told that persons in the community are concerned about some of the materials and activities being used in a humanities course taught jointly by an English teacher and a social studies teacher. No campaign has been organized as yet; but some letters to the editor have been printed, and a few telephone calls of inquiry have been received by the teachers and their principal.

The superintendent, with the advice and consent of the local teachers' organization, had requested the board of education sometime ago to appoint a School/Community Council on Educational Practice for the purpose of advising the board on "curriculum matters of interest to the community." In the board's resolution, the Council is specifically designated as the body of first resort for complaints about the curriculum coming from people in the community. Among the fifteen members of the Council are teachers, businesspeople, laborers, professionals, and others, a multi-mix of persons representing many facets of the community. A board member is an ex-officio member, and an administrator with a philosophical bent was appointed the Coordinator of the Council. The Council meets monthly or on the call of the Coordinator.

The Council established most of its own procedures, including rules for public hearings; but in its resolution, the board had stipulated that formal recommendations to the board by the Council on a curriculum matter must be made in writing and be accompanied by a written justification. Moreover, any inquiry leading to formal recommendations must be initiated by a com-

plaint submitted in writing by someone in the community. In keeping with its charge, the Council, in announcing the rules of the new game, required all written complaints about curriculum matters to be supported by the complainant's justification.

At one of its first meetings the new Council had on its agenda a formal complaint about the new humanities course in the high school. The complainants, Mr. and Mrs. Smith, whose son is in the humanities class, and a cohort of supporters came to the meeting. The complaint was actually one of a half dozen or so referred to the Council since its appointment. About half of them were about the humanities course; but none of the complainants except the Smiths had been willing to file a written petition of complaint. After the written complaint was officially received by the Council, the Smiths were invited to speak in support of their petition.

"We are really concerned," Mrs. Smith said, among other things, "about the books they are reading in that so-called humanities class. They contain foul language, dozens of four-letter words, and passages about sexual relations . . ."

Over the next half hour or so, the Smiths laid before the Council the substance of their complaint—book, chapter, and verse. A Council member or two checked some of the references in the materials that were brought to the meeting for display. There seemed little doubt that some of the passages featured sex and that four-letter words were used (principally in dialogue).

"Have you checked out the context in which these books and stories are used?" a teacher member of the Council asked. "That could make a difference, it seems to me."

"I don't see that it would make a difference," another Council member said. "The complaint is about sex and four-letter words in classrooms."

"Well, the difference is that the complaint as written is not 'about sex and four-letter words in classrooms,' but about certain books containing some four-letter words and some passages about sex supposedly read and discussed in a certain classroom. Before we go much further into it, I think we ought to hear the teachers' side of it; and maybe we should hear from some students."

* * * *

It would seem useful to glean from this case, as it develops, some rules for playing the censorship game in schools. Thus far in our hypothetical case study, the following rules related to the establishment of a rational dialogue for the purpose of preventing and controlling censorship in schools have been illustrated.

1. *Schools should prepare ahead of time for the handling of specific pressures to censor.* (A group broadly representative of the profession and the community and appointed by the board of education for the specific purpose of handling censorship-prone complaints about the curriculum is an appropriate anticipatory action.)
2. *Complaints should be submitted in written form.* (Having a complaint written will assure having as clear and disciplined an expression as possible. The requirement is also designed to discourage capricious attacks.)
3. *The issue of a complaint should be kept narrow and specific.* (A decision, however, much like a court decision, may have wide application and make use of broad principles.)
4. *All the relevant facts of the case need to be expressed.* (There is a special meaning for "relevant facts" in this instance. It means the facts toward which the persons involved have strong pro- or con-attitudes. A fact that engenders no feel-

ings one way or another is not relevant. The assertion that the books involved in this case have red covers is not likely to be a relevant fact; but the allegation that a paperback has a salacious cover just might be.* Obviously, all statements of fact must be true statements. Unfounded opinions and unwarranted assertions do not count.)

* * * *

While the idea of hearing from the teachers and students seemed appropriate if the inquiry was to be pursued further, it was not possible at this first meeting. The Smiths' side of the story was explored further, however.

"Just why do you object to these materials, Mr. and Mrs. Smith?" the Coordinator with the philosophical bent asked.

"Like we said, because of the profanity and sex passages," said Mr. Smith, not believing that their message had not been clear on this point.

"Yes, we understand that. What I mean is: Why do you object to the language and passages you cited?"

Now, it is not as if the Smiths had neglected to express their reasons for disapproving of obscene language and the like in classrooms—and elsewhere, for that matter. They had slipped in hints and expressions of their standards and criteria behind the 'becauses' in their sentences. "I think that is deplorable," Mrs. Smith had said, in judgment of a masturbation scene depicted in a novel supposedly assigned to the class, "because it can't help but put unworthy thoughts in the minds of these young people." Mr. Smith, too, had signalled the presence of a criterion by his use of the word 'because.' The Council probably had heard that; but the Coordinator wanted the reason clearly expressed.

"For one thing," Mrs. Smith said, "it will encourage these youngsters to use profanity in the halls, toilets, and locker rooms, and probably even in their classrooms. And for another, it will fill their minds with indecent thoughts when they should be learning decency in school."

"In other words," a member on the Council interrupted, "you're saying that reading that increases the use of profanity among young people and titillates their sexual fantasies is a bad thing—at least in school. I agree. I think so, too."

"Exactly! And I would go further than that," Mrs. Smith added, "but I realize we can't do anything about television and movies and things like that here. We're really concerned about the whole question of the moral education of these youngsters."

"Now all we have to do is find out if these materials really produce all those good effects," a social worker on the Council quipped. Only a few chuckled.

"You know they do. You know they do," another member chided, repeating himself thoughtfully. He wasn't smiling. "And I wouldn't call them good effects, either," he added for good measure.

* * * *

The case dialogue allows two new rules to be added.

*A commonplace has it that a book should not be judged by its cover. Suppose, however, that a book has a cover designed to appeal to the prurient interests, rather than to the social or literary interests, of would-be readers. It is possible that some persons would have strong feelings about that fact, thus making it relevant to their judgment about the book. Even though the fact actually clouds the issue of whether the book should be *read*, say, in a classroom, the attitude of these persons toward salacious book covers gives the fact relevance to them. Suppose, further, that these persons (or some of them, at least) are convinced subsequently that the cover has no significant effect on students. They may with this knowledge be able to subdue their strong feelings about salacious book covers and remove the fact that this book has such a cover from their list of relevant facts in judging the appropriateness of the book as reading material for a classroom.

5. *The reasons for the complaint—i.e., the standards and criteria used by the complainant to justify the complaint–should be expressed as clearly as possible.* (While people carry criteria around in their heads and regularly reveal them in their justifying statements, they may not be fully aware of them. Moreover, not everyone listens carefully for them when other persons speak.)
6. *It must be shown that the criteria stated are relevant to the issue.* (Whether it was realized or not, the social worker on the Council was beginning to probe this relevance with the "good effects" comment. If it can be shown that the materials in question have little or no effect on the use of profanity among the youth who read them, then the criterion that "reading that increases the use of profanity among young people . . . is bad" is irrelevant to the case. Finding no relationship between reading profanity and speaking profanity in this case means that the criterion being used to judge the relationship has no relevance. If, on the other hand, it can be shown that reading the materials either increases or *decreases* the use of profanity, then the criterion is relevant. This presumes that a person who holds that an increase in profanity is bad would also hold that a decrease is good.)

* * * * *

At the next meeting of the Council, the two teachers of the humanities course and most of the students in the class—including young Smith, who sat reluctantly with his parents—were present at the invitation of the Council. The audience was much larger than it had been for the previous meeting.

"As you know," the Coordinator began, "we are entertaining a formal complaint against some materials being used in the humanities course in the high school. Specifically, the petition claims that the following books should be withdrawn from the course because they contain profanity and obscene passages." Here the Coordinator read the list of titles. "I won't read the words or passages cited tonight, however. You in the audience will have to do that on your own." Some laughter from the audience at this remark. "I'll assure you that all members of the Council have read them." There was considerably more laughter. "And I'll assure you that the teachers of the course, Mr. Jones and Ms. Black, who are here tonight, have been fully informed of the complaint and of our discussion at the last meeting. I see several students here. I expect they also know all about it. Tonight we would like to hear the teachers' and students' side of the story." (Unwittingly, the Coordinator implied that the teachers and students were, in fact, on the same side.) "We prefer to keep things as informal as possible; so if you two will just start," the Coordinator said directly to Jones and Black, "we on the Council will ask whatever questions come to mind. We'll give the audience a chance, too, later on—especially the Smiths, of course."

"Well, Your Honor." It was Ralph Jones speaking; he was a young, energetic sociology teacher with an obvious sense of humor. The audience chuckled at "Your Honor" in appreciation of Jones' position and composure. "Jane Black and I started this course in an effort to meet a need we saw in our students. Our students, it seemed to us and to other teachers we talked to, were leaving their high school with a narrow view of this society. Most of them grow up here and go to school here from first grade through seniordom." Jones continued with data on college attendance, occupations assumed, county residence, and the emigration and urban resettlement of many of the school's graduates and dropouts. "The information on some of these groups is more complete than others; but

according to our guidance office," Jones continued, "this is about the way it is."

"These are interesting figures," a Council member interrupted, "and I have no doubt they are accurate; but what do they have to do with your humanities course?"

"We're coming to that." Black continued with the teachers' justification. "Let me just repeat that about two-thirds of our graduates leave this school and this community for the great, wide, urban world, never to return again except for Christmas. And until now, no one in this school was lifting a hand to get them even halfway prepared to face the reality of an urban society."

The teachers went on to claim that they had designed a third of the humanities course to show, largely through "urban literature," the life styles, problems, and promises of urban society. "All but one of the books on this list are presently used in this urban reality unit," Jones said. "All of these books were written by persons who live in cities and know about life there—at least some part of city life. City life isn't the same for everyone."

"You say that one of these books is not being used now?" a Council member questioned. "Was it removed because of complaints like those of the Smiths?" The Council member seemed too eager.

"No," Black answered. "The book depicts life in an activist youth commune in the mid-sixties. That sort of thing is not a typical urban life style at present. We felt it misrepresents the city today; so we took it off the list."

"Why did you have to choose such vulgar books?" a Council member asked with some hostility showing.

"But they're not vulgar books—unless, of course, you think life is vulgar," Black responded quickly. "I suppose it is sometimes. We tell our students that these are *realistic* books that portray a variety of urban life styles honestly and accurately. We require of the books we choose that they tell us about human beings in cities and that they tell us about these persons honestly and accurately. If we believe an author is making a dishonest display of sex or profanity just to sell more books, we probably wouldn't use his book."

" 'Probably,' you say!" A Council member picked up the equivocation.

" 'Might not' is more like it," Jones broke in. "You see, there is a bit of literary criticism in the course also. We might use a poor example in order to help point out the qualities of a good book."

"We do, in fact, use a couple of articles that are examples of poor scholarship," Black added. "They didn't make your 'hit parade,' however. We use these to emphasize the importance of scholarship in treating urban problems rationally. We do more with that later on in the course."

The Coordinator leaned forward to speak. "As I understand it, you seem to be saying that a person needs to know and understand the society he or she is to live in and the variety of persons and life styles in that society."

"Something like that," Jones said.

"Why would you say that is important?" The Coordinator probed.

"A person who understands the various ways people negotiate, succeed, or fail in the society is better equipped to make rational life choices," Jones answered.

"If a person is naive or misinformed, she or he is less able to become a fully functioning human being. It's a sort of self-actualization goal that can't be reached without an accommodation to reality," Jane Black added.

The Coordinator pursued the issue. "What makes you think that this course, this set of readings—profanity, sex, and all—can accomplish these remarkable goals of making rational life choices and reaching self-actualization?"

"Whoa! Hold on!" Jones exclaimed.

"We don't claim that! Those are lifelong goals for our students. Our course aims only to scrape off some of our students' naiveté and give them a head start toward rationality."

"The materials we're being questioned about here are intended to portray the flavor of the city to our students and, for some of them, to blunt the culture shock they will experience when they move there. We hope that will help them negotiate the society. Our next unit intends to commit them to the rational treatment of urban problems," Black explained.

But Jones felt a disclaimer was needed. "Now, you understand, we don't really *know* whether we can accomplish these things in a year's course. We'll probably win some and lose some, if the law of averages holds. We just feel it's important to try; this course is the best way we know now."

Mr. Smith signalled from the audience and was recognized by the Coordinator. "That's all very nice," he said, "but do you need the profanity and sex?"

Jones answered, "We believe we do. Sexual activity is treated in these materials as normal human behavior. In class, we don't dote on it; but we don't ignore it either. Our intention is to depict human beings authentically. Moreover, if some of the characters portrayed in these settings said 'Darn it!' instead of 'God damn it!' or 'Phooey on you!' instead of 'Fuck you!' they would come across as phonies." The thud of 'the word' raised every eyebrow in the room. "If anything, our students are good at spotting phonies. They would laugh the books off the shelves, the course out of the curriculum, and us out of school."

"Amen!" said Black.

* * * *

Another rule for a rational dialogue has been illustrated.

7. *Conflicting criteria should be expressed at the same level of generality.* (A problem is likely to occur when the opposing standards are compared in this case because they have been expressed at different levels of generality. Jones and Black appear to have violated Rule 6 by not stating a specifically relevant criterion that justifies doing *in school* what they claim needs to be done sometime and some place for generally everyone. Jones answered the Coordinator's probe for a justification by referring to "a person who understands" in the sense of "*any* person who understands." That is a large population. The Smiths, on the other hand, would need to express a more general criterion if their standard is to escape its narrower application in schools in order to be applied more generally to the population and locale invoked by Jones and Black. The Smiths, early in their presentation, indicated that they were especially concerned about "youngsters [using] profanity in the halls, toilets, and locker rooms, and . . . classrooms" as a result of their exposure to these materials in school. Comparing these criteria may be tricky. Changing the population referents and the contents in each case may invalidate the standards. It may be that different profanity and sexual standards are justifiable for different places or age groups. Moreover, functions justifiably performed for all persons in a society may not be necessarily justifiable in schools. Whatever the problems, the Coordinator now has the task of mediating what appears to be a conflict of standards.)

* * * *

The debate continued with statements from members of the audience, including some from students. The students asserted that they liked the course and thought it

was helpful to them in understanding city life and people. They were not offended by the profanity nor by the sexual passages. "We all know about such things, anyway," they reported. They doubted that students' use of profanity was much affected by dirty words in books. While they were not asked to comment on student sexual activity, one student volunteered that everyone thinks about sex sometimes, with or without reading about it.

The Coordinator determined finally to summarize what had been accomplished. This summary was tape-recorded for reference at the next meeting. A time was set for a closed session of the Council the following week, and the meeting was adjourned.

Before the closed session, the Coordinator had the following information from the recorded summary duplicated for the Council members. Copies were sent to Council members to help them prepare for the upcoming discussion.

Notes on the Smiths' Complaint

1. The Smiths believe that the books and articles cited should be removed from use in Jones and Black's humanities course.
2. The Smiths claim that reading this literature increases the use of profanity in the school by students.
3. The Smiths claim that reading this literature interferes with students' learning by cluttering their minds with indecent thoughts.
4. The Smiths reason that reading that increases the use of profanity among young people is bad.
5. The Smiths reason that reading that titillates students' sexual fantasies is bad.

Notes on the Jones and Black Defense

1. Jones and Black claim that the books and articles cited are an integral part of their humanities course.
2. Jones and Black claim the profanity and sex passages are needed for authenticity.
3. Jones and Black claim that the course helps to prepare students for urban reality.
4. Jones and Black claim that the course helps students see the variety of urban life styles and the different ways in which persons succeed, fail, and negotiate urban society.
5. Jones and Black claim that the course helps students achieve self-actualization and helps them make rational life choices.
6. Jones and Black reason that a person who understands a society and the various ways people negotiate it is better able to make rational life choices.
7. Jones and Black reason that a person who has accommodated reality is more able to become self-actualized.

Notes on the Students' Statements

1. The students claim that the cited words and passages are not particularly offensive.
2. The students claim that students' use of profanity is not affected by reading the books.
3. The students claim that everyone thinks about sex sometimes, whether they read about it or not.
4. The students claim the course helps them understand city life and people.
5. The students like the course (for reasons not ascertained).

Notes on Comments from the Audience[10]

1. A member of the audience claims that permissiveness contributes to the "moral decline" of young people.
2. A member of the audience claims that the use of profanity has little or no relationship to a person's morality.

* * * *

[10]These are not reported in the dialogue.

Another rule for the censorship game seems pertinent.

8. *Agreement must be reached on what facts are being claimed and what standards are being invoked.* (That does not mean that everyone must agree at this point on what the facts are, which are the most important, and what standards are to be applied. That may be an eventual outcome—indeed, hoped for—but before that can occur, factual and criterial claims and disagreements may need to be clarified. Simply knowing where everyone stands is a step in the right direction.)

* * * *

The Coordinator opened the meeting by indicating that the single task to be performed by the Council "is to prepare a recommendation to the school board regarding the use of a group of books in Jones and Black's humanities course."

"This recommendation," explained the Coordinator, "is in response to a complaint citing the presence of profanity and descriptions of sex acts in the books. Our recommendation can run anywhere from suggesting the removal of the books from the course to endorsing their use. In any case, we are obligated to give our reasons for whatever we recommend."

"Since this whole thing started with the Smiths' complaint, I suggest we start with what they had to say," a Council member suggested.

"We know they would have us recommend removal," another said, "but I think we ought to look at their reasons for wanting that done. If we suggest withdrawing these books, we may be stuck with their reasons."

"That wouldn't be so bad," said another member. "They seem like good reasons to me. I don't like kids using profanity either."

"That's not exactly the point, is it?" still another questioned. "The Smiths claim that reading profanity increases students' use of profanity in school. That's their claim in number 2 on this sheet. Then if you turn to the students' number 2 statement, they say reading has no effect on use."

"The fact is," added the Coordinator, "we don't have much evidence either way."

"How would you ever prove such a thing?" a lawyer member said. "Even if we were willing to say that using profanity is a bad thing for young people, we would look pretty foolish pretending to eliminate it by censoring their reading with no proof that reading is at fault."

. . . (A HALF HOUR LATER) . . .

"What about the sexual titillation argument?" asked a member, slightly miffed at the evidential orientation of the discussion.

"We're on shakier grounds there than with profanity," the lawyer said. "What are you going to do? Read minds? Maybe we ought to consult a psychiatrist."

"That's ridiculous! What do you think would be the result of reading about sex? You *think* about sex!"

"And that's too simplistic," a teacher member cautioned. "There are many other topics treated in those books. You have to put sex passages in perspective. Black and Jones do. The authors do. Even the kids do, apparently. I think that's what Black and Jones mean when they talk about authenticity in their number 2 statement."

The Council continued testing the summary statements and generating new normative propositions which, in turn, were examined and re-examined. The Coordinator with the philosophical bent proved also to have a "scientific turn" and a "task orientation." The Council stuck to its work; claims survived or died on their merits; criteria without relevance lost their sting or blessing. The discussion wore on without conclusion.

. . . (A HALF HOUR OR MORE LATER) . . .

Finally, one outspoken member reflected the sense of frustration. "I'm not sure what I believe now; but, you know, I don't think we've got much to go on here. The Smiths obviously haven't given us any help, and we haven't done any better on our own. I came here ready to pitch those books; but with no better reasons than we've come up with so far, I'd feel silly recommending it now."

"So you think Jones and Black have the best of it?" It was expressed as a question.

"Not really." The outspoken member was trying to maintain objectivity. "Mr. Jones and Ms. Black didn't do much better. Only two things they told us show up with the kind of proof we've been requiring tonight. They have shown us reasonably well that the books fit their course, and they make a good argument on the authenticity-honesty thing. That standard makes the most sense to me now and—for the time being, at least—I'm willing to trust them to apply it."

"I hadn't really seen this connection until now," another member added, "but what you say fits a part of Jones and Black's number 6 statement. In order to 'make rational life choices,' as they put it, you must have authentic information to work with. It's a bit pompous; but it makes sense."

. . . (A SHORT TIME LATER) . . .

The Coordinator saw a resolution emerging and searched for the proper summary. "That would produce a neat line of reasoning that we may be able to live with. Besides, it will allow us to avoid trying to justify the course and its objective of getting kids ready for city life. We have no data on that anyway and no way to get any for months or years. Okay, suppose I prepare a recommendation to the board containing the following points. I won't send it, however, until after we approve it as a document at our next meeting.

1. We recommend retaining the books over the complaint of Mr. and Mrs. Smith.
2. We so recommend for the following reasons:
   (a) The books fit the humanities course.
   (b) The books present authentic information.
   (c) The cited passages and words are needed to maintain authenticity.
   (d) Authentic information is necessary for rational decisions.
   (e) Schools should stand for rationality."

"I move we adjourn."

"Second."

. . . and as a chorus, "Aye!"

* * * *

Two final rules can be gleaned from the dialogue.

9. *Conflicting criteria must be ranked in order of precedence.* (Sometimes conflicting criteria of nearly equal goodness must be ranked by appealing to a higher standard. The criterion that most clearly implies the higher standard would be given precedence. In the dialogue, the higher standard was supplied by the Coordinator in the summary statement "e": "Schools should stand for rationality." That standard is implied in Jones and Black's assertion about authenticity and rational decisions [statement "d"]. In this dialogue, however, truly competitive criteria did not materialize. That is not to say that the Smiths' standards can be judged out of hand as unworthy. Rather, their standards, as well as most other standards invoked in this dialogue, were judged irrelevant by rule 6.)
10. *A precedential criterion and its related facts form the premises of a deductive argument.* (Among the reasons to be

sent to the board, deductive arguments can be fashioned with b, c, and d as premises. They must be restated to fit a standard format, however.[11]

(d) If rational decisions are to be made, then authentic information is needed.

(c) Without the cited passages and words, the books would not present authentic information.

∴ Since under condition "c" the books would not present authentic information, decisions based on them could not be rational.

Also:

(d) If rational decisions are to be made, then authentic information is needed.

(b) Withdrawing the books would withdraw needed authentic information.

∴ Under condition "b", rational decisions would not be made.

Such deductive arguments play an important part in valuation. Other deductive arguments can also be formulated using the reasons a, b, c, d, e in various ways. Some additional premises would have to be supplied in some cases, however.)

[11]For those who are interested, the form of each of these deductive arguments is: $p \rightarrow q$, not q, $\therefore$ not p

* * * *

This bulletin offers an alternative way to play the game of curriculum censorship in schools. The alternative features rational valuation as its main process and profession/community interaction as its chief strategy. Specifically, the alternative is offered as a means of avoiding raw political resolutions to curriculum conflicts. Schools and communities both stand to lose by confrontations that irrationally menace professional and community values. But when teachers and the community interact rationally in the censorship game, everyone wins something.

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APPENDIX

NATIONAL COUNCIL FOR THE SOCIAL STUDIES
Statements on Academic Freedom, Controversial Issues, and Civil Rights: 1951—1974

1951—The Treatment of Controversial Issues in the Schools

1953—Freedom To Learn and Freedom To Teach

1956—Action To Uphold Freedom To Learn and Freedom To Teach

1964—Resolutions on Academic Freedom, Controversial Issues, and Civil Rights Adopted by the House of Delegates

1967—Academic Freedom: A Policy Statement

1969—Academic Freedom and the Social Studies Teacher

1974—NCSS Position Statement on the Freedom To Teach and the Freedom To Learn

Note: These statements are published in their original form. In the interest of maintaining historical accuracy, no changes have been introduced to make the documents conform stylistically with the present NCSS position on references to gender.

Photo by Lawrence Pierce courtesy The Charleston (West Virginia) Gazette

The Treatment of Controversial Issues in the Schools

This report, prepared by the Committee on Academic Freedom, was officially adopted after careful consideration by the members of the 1950 and 1951 Boards of Directors of the National Council for the Social Studies. The names of the members of the Committee that drafted the report, and of the members of the Boards of Directors that adopted it, appear at the end of the statement.

Since we live in a period of rapid social change, we are, as a people, faced with many public problems—social, political, and economic. Many of these problems are acute and pressing. Ideas as to policies and solutions differ widely. Proposed solutions often may conflict with the interests and cherished beliefs of some groups in the population. Before action can be taken, a long period of discussion may be necessary. By means of public discussion these differences can gradually be analyzed and a course of action agreed upon. Free discussion of current issues is, then, the heart of the democratic process. It follows that education for citizenship in a democracy must emphasize the study and discussion of controversial issues and must teach the skills needed for this study and discussion.

Intelligent behavior in a problem situation has to be learned. It begins with:

1. Willingness to examine one's point of view and one's own bias.
2. Effort to understand the basis for differing points of view.
3. Skill in analyzing the issues so as to identify and evaluate possible courses of action and to discover areas of agreement.
4. Willingness to search for ways of working with others for such common goals as can be identified.[1]

If young people are to behave intelligently in problem situations, the schools must give them an abundance of opportunities to learn and practice this type of behavior. Without minimizing the importance of that large part of the curriculum made up of established truths and values, but recognizing that gradual social change is inevitable, the National Council for the Social Studies recommends that it be the explicit policy of the nation's public schools to encourage and maintain the study of the unsolved problems and the current, controversial issues of our society. Only through this study can children develop the abilities they will need as citizens of a democracy—to analyze a problem, to gather and organize facts, to discriminate between fact and opinion, to draw intelligent conclusions, and to accept the principle of majority rule with due respect to minorities. The school has the responsibility for helping every boy and girl to develop and to apply these abilities. Hence, the school must uphold freedom to learn.

[1] In support of this, we reaffirm the action of the Council of November 1949: "We accept as part of the responsibility of social studies education the development in our students of a desire to engage in social action. As students mature, an increasingly large proportion of their action should be at the citizen's level of contribution to the public good rather than merely to their own personal welfare. Such action, however, should be based upon critical examination of relevant values, arguments, and evidence and should in no way imply that the school is committed to partisan causes." "NCSS Annual Business Meeting: Resolutions" (November 25, 1949). *Social Education* 14:32; January 1950.

Essentials of the Freedom To Learn

Freedom to learn is part of the heritage of every American child. It rests upon four essentials:

1. The right to study and discuss significant issues, social, economic, and political.
2. The right of access to publications or statements that have a bearing on the issue.
3. The right to study and discuss all sides of the issue in an atmosphere free from compulsion.
4. The right to reach and express an opinion that may be different from that of other members of the class and from that of the teacher.

If these essentials are to be achieved in American schools, social studies teachers must help students develop skills in critical thinking. If teachers are to have responsibility for helping students learn and practice these skills, they must be given corresponding confidence and security. Every teacher needs to feel that his status will not be jeopardized by opinions expressed and positions taken in the analysis of controversial issues in the classroom.

The Role of the Teacher in the Study of Controversial Issues

The teacher has responsibilities both to his students and his community in the handling of controversial issues:

1. To present or to permit the presentation of significant current questions by the class. Such questions should be considered in the light of their suitability for the age level and the community.
2. To help students obtain an adequate quantity and variety of materials representing all sides of the question.
3. To help students form their own working questions, pursuit of which will lead to greater understanding of the problem.
4. To call attention to the case for unpopular causes if necessary to assure a well-rounded consideration of the question. Points of view should be associated with their sponsors rather than with the authority of the teacher.
5. To help students distinguish between fact and opinion, and to form their opinions from the available facts rather than to look for facts to support a preconceived opinion.
6. To help students discover common goals and areas of agreement while recognizing that the generalizations and conclusions of individual students need not be alike.
7. To encourage students to make up their minds on the issue, rather than to remain in a state of indecision. Open-mindedness and willingness to change a conclusion should be recognized as an essential of critical thinking.
8. To exemplify good social behavior in a controversial situation. "In the heat of discussion it is important that the teacher shall be the most willing to hear another out, the least willing to point the finger of scorn at an unpopular position; the most willing to explore to the very bottom any position which may be taken; the most willing to examine critically his own position; the fairest, the coolest, the most factual person in the discussion."[2]
9. To keep in mind his purpose: the development of informed and responsible citizens.
10. To "refrain from using his classroom privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind."[3]

In the study of current issues, the teacher's role is not to pose as an authority but rather to stimulate students to gather the evidence and to arrive at their own conclusions. Some of the best teaching is done when the teacher acknowledges himself to be a learner and both he and the students set out to discover all they can about a problem which interests them. Nevertheless, the teacher must have sufficient background and skill to evaluate the facts presented and the sources of information used.

[2]Engle, Shirley. "Controversial Issues in World History Classes." *Improving the Teaching of World History*. Twentieth Yearbook. Washington: The National Council for the Social Studies, 1949. p. 152.

[3]National Education Association. *A Code of Ethics for the Teaching Profession*. Washington: NEA, 1940.

Those who advocate that a teacher's position should not be known on a current issue give a counsel of perfection. Over a period of time, it is not likely that a teacher can (or should) successfully conceal his preferences among alternative proposals or even among alternative sources of information. With high-school-age students and older, a satisfactory procedure may be for the teacher to establish the criteria for the consideration of current issues (such as the ten listed above), and ask the students to maintain a sound balanced treatment, with special emphasis on points eight, nine, and ten, above.

Evaluating Teaching Materials for the Study of Current Issues

In recent years some persons have been fearful that unpatriotic doctrines may be taught in the public schools. Patriotic organizations have been watchful of textbooks, especially those used in social studies courses, and have denounced the use of some of these, despite the fact that they had been approved by committees of responsible professional educators. Sometimes the political opponents of a school administrator have attacked certain teaching materials used in the local schools. The charges usually made are that the item in question is "unpatriotic," "un-American," "radical," or "reactionary." The basis for the charge is frequently that the author of the material shows sympathy for liberal ideas on such questions as race relations, regional planning, public housing, or compulsory health insurance.

Whatever the motives of those who make these attacks (and, generally, the motive is honest), the effects are likely to be unfortunate. (1) Teachers may be influenced to select materials not because they will challenge students to think about important current issues but because they are deemed to be safe from attack. (2) The authors of textbooks and of articles in classroom periodicals may be influenced to emphasize the prevailing point of view and to slight the unpopular point of view. (3) The editors of textbooks and classroom periodicals may be influenced to exercise an informal censorship over these materials, deleting or toning down passages that seem to favor currently unpopular proposals. (4) School boards and school administrators may be influenced to exercise a censorship over these materials. (5) Teachers of social studies may become fearful of studying controversial issues, since the materials used for such study may be denounced at any time and the finger of suspicion pointed at those who selected the material or admitted it to the classroom. Since ideas expressed by the teacher and repeated by students outside the classroom may attract unfavorable notice, many teachers avoid the discussion of social issues in the classroom or deal with them in a timorous fashion. Such an attitude on the part of the teacher inhibits students in their investigation of the facts and makes impossible a well-balanced consideration of all points of view on the issue.

Attacks on materials of instruction led to the adoption by the National Council for the Social Studies of the following resolution:

> The Council opposes the official blacklisting of materials for student use. The choice of appropriate materials for educational purposes in the social studies must, in our opinion, be made in accordance with educational standards and needs. The blacklisting of textbooks is a threat to the freedom of expression traditionally allowed authors and publishers for the purpose of producing materials representative of every viewpoint. Such blacklisting tends to encourage the textbook industry to abandon its allegiance to the principles of freedom and to conform to the views and official pronouncements of pressure groups.[4]

Teachers and administrators should select materials carefully for school use. Criteria for the selection of such material should be agreed upon in advance and should be applied by a representative textbook and materials committee of teachers and administrators. The following might be some of the criteria considered.

Criteria for Evaluation of Teaching Materials Used in the Study of Current Issues

1. Relevance of material:
   a. Is the material related to the objectives of the course or the unit?
   b. Is the material related to the issue being studied?

[4] "NCSS Annual Business Meeting: Resolution," *op. cit.*

c. Is the material adaptable to the range of reading ability of the students? In case of supplementary material, it may properly be too easy or difficult for the majority of the class.

d. Is the material used as a basic text or as supplementary material?
(*Note:* Supplementary material of a biased nature is rightfully used in order that various sides of an issue may be considered by the students. A basic text should be expected to meet criteria of objectivity and fairness that cannot be applied to all supplementary material.)

2. Balance and objectivity:
   a. Is the material factually accurate?
   b. Does the author distinguish between unsupported generalizations and generalizations based upon objective data?
   c. Are opinions distinguished from statements of fact?
   d. Is the material written in an objective, well-balanced manner?
   e. Does the author indicate that there are conflicting theories or opinions on the issues under discussion?
   f. Can use of the material help students to develop sound methods of weighing evidence and evaluating conclusions?

Note: If the material in question does not meet the criteria outlined in (2), its use may still be justified. The following questions concerning the way in which it is used would then be pertinent:

1) Have students been provided with a variety of supplementary materials written from divergent points of view?
2) Are students aware of the nature and purposes of the organization publishing the material?
3) Have the students been helped to analyze the partisan nature of the material and its lack of objectivity and balance?

3. Likelihood of contribution to democratic citizenship:
   a. Can use of the material arouse interest in issues that confront American citizens today?
   b. Can use of the material help in developing an appreciation of democratic ideals?
   c. Can use of the material help in developing an understanding of democratic procedures for solving problems that confront individuals, groups, and communities?
   d. Can use of the material aid in developing understanding of the rights of the individual in American society?
   e. Can use of the material help develop understanding of the obligations of the individual in American society?
   f. If the material treats situations that may be regarded as failures or shortcomings of our democracy, does it point out constructive ways for dealing with these situations within the framework of our Constitution?

Note: If the material in question does not meet the criteria outlined in (3), its use may still be justified. The following questions concerning the way in which it is used would then be pertinent:

1) Is the material provided in order to illustrate an undemocratic point of view?
2) Has the teacher called attention to ways in which the material fails to uphold democratic ideals and practices?

These criteria should be in writing, available to teachers, administration, school board, and interested parents. They should be used by the faculty textbook committee in the selection of materials, and records of its judgments should be kept.

The school staff should be willing to re-examine texts or other materials on request of the school board. "Blacklists" should be opposed by teachers and school boards. Objections should be specific and related to a whole volume, magazine or other material of instruction, not based on a sentence or paragraph taken out of context. Loose generalizations and innuendo should be met with an invitation to be specific and objective. Charges should be submitted in writing to the school's textbook committee for study and report.

If the objectors are not satisfied with the statement of the textbook committee, the school board might set up a lay committee to examine the materials objected to. On such a committee, persons representing the school board, the PTA, and representatives of business, labor, and public service (social service or librarians, for example) could be appointed. All pertinent data should be submitted to this committee and it

should be asked to document an opinion on the use of the material. The findings of this lay committee should be reviewed by the textbook committee, and a report submitted to the school board. The decision of the school board should be final for the time.

The purpose of this orderly procedure is to remove the attacks upon texts and other materials from the arena of charge and countercharge and assign it to objective analysis. Persons or groups who would not consent to such a procedure have no right to influence public education.

Similar cautions and safeguards are suggested in a report adopted by the American Legion at its annual convention in 1949. Its Committee on Evaluation of Instructional Materials reported:

1. Interpretation of materials is often aided by studying the selfish interests and known biases of authors and sponsors of materials.
2. The evaluation of parts of materials out of context is obviously unjust.
3. Authors and editors always work against space requirements and thus should be given the benefit of the doubt when interpretation of intent is questioned.
4. Democracy is based on free speech—there can be no freedom without it.
5. Material not prepared for school or college use will not conform to textbook criteria. When instructors bring in realistic materials on any issue the only question is whether the instructor presents both sides of a given issue.
6. Democracy is not a fragile institution, and when fairly presented neither suffers by comparison nor needs a defense.

The United States is strong. It is strong in its resources and productive system. It is even stronger in its democratic traditions and institutions. It is stronger still in its free people, independent in mind and spirit, accustomed to face problems, to use initiative, and to accept responsibility. Our political and economic system can stand comparison with those of any other nation. Americans who fear or oppose such comparison would appear to lack confidence in the strength and attractiveness of our ideals and institutions. Our experience and our faith in democracy tell us that we will not tolerate an economic system based on a regimentation of workers that deadens individual initiative and responsibility. A political system that is based on controlled information, on misinformation, and on convictions imposed from above is not for Americans. The power of fanaticism is not to be underestimated, but the power of full knowledge and of conviction based on full information has always proved more enduring.

The strength of democracy is rooted in freedom of information, of thought, and of expression. It is founded on a free press and free channels of communication, on free speech, and free publication. It is supported by free teaching and free learning. For the present and future, as for the past, knowledge is power, and the truth both makes us and keeps us strong and free.

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1953

Freedom To Learn and Freedom To Teach

This report, prepared by the 1952 Committee on Academic Freedom, was officially adopted after careful consideration by the members of the 1952 and 1953 Boards of Directors of the National Council for the Social Studies. The names of the members of the Committee that drafted the report, and of the members of the Boards of Directors that approved it, appear at the end of the statement.

The National Council for the Social Studies again affirms its devotion to the fundamental principles of American democracy. As teachers and as loyal Americans, we shall continue, both within and without the classroom, to oppose totalitarianism whether it takes the form of communism, fascism, attack on religious or ethnic minorities, or attack upon freedom of the mind. When democracy is endangered, we believe there is only one side on which we can take our stand—the side of freedom.

Democracy is a way of life that prizes alternatives. Alternatives mean that people must make choices. Wisdom with which to make choices can come only if there are freedom of speech, of press, of assembly, and of teaching. They protect the people in their right to hear, to read, to discuss, and to reach judgments according to individual conscience. Without the possession and the exercise of these rights, self-government is impossible.

In defending freedom to learn and freedom to teach we are defending the democratic process itself. The following statement shows how the right of the student to learn implies a corresponding right of the teacher to teach, and how this in turn places correlative responsibilities upon the teacher. The National Council for the Social Studies accepts this statement of the essentials of freedom to learn and freedom to teach.

I.

Freedom to learn implies: The right of students to study and discuss significant moral, scientific, social, economic, and political issues. Respect for the individual is first of all respect for his mind and conscience. He should have the opportunity to pursue questions that seem important to him and to his fellow students. This opportunity is also essential in preparing for the duties of citizenship. By studying and discussing issues, young persons develop an interest in the problems of the community, the state, the nation, and the world. They also learn the skills needed by citizens in solving the problems that confront them. These skills, which require a long process of growth and development, include the ability to analyze a problem, to gather and organize facts, to discriminate between facts and opinion, to evaluate sources of information, to discuss a controversial question with persons who have opposing points of view, and to draw intelligent conclusions.

Freedom to teach implies: The right of the teacher to direct the attention of students to significant current questions and to promote the exchange of ideas upon them.

Correlative responsibilities: To select issues that take into account the needs of students, the maturity of students, and the purposes of the school.

II.

Freedom to learn implies: The right of the student to have access to a variety of publications and materials that relate to issues studied in class. The student should have materials expressing differing points of view so that he may become acquainted with all sides of the question. He has a right to textbooks which are scholarly and well-

balanced, in which the intellectual integrity of authors and editors has not been sacrificed to please special interest groups seeking to impose their ideas upon the schools. The student has a right to an abundance of supplementary materials, including magazines, newspapers, pamphlets, and audio-visual aids. To bar from the school sincere and honest views is contrary to the democratic process by which we seek an accommodation of all groups in the community.

Freedom to teach implies: The right of the teacher to select teaching materials suited to the maturity levels of the pupils and which are conducive to deeper understanding and more critical thinking concerning the questions being explored.

Correlative responsibilities: To help students obtain an adequate quantity and variety of materials representing all sides of a question. To help students evaluate printed and audio-visual materials. If any material is of a partisan nature, to help students become aware of this fact and of the nature and purposes of the organization which publishes it.

III.

Freedom to learn implies: The right of students to study and discuss all sides of the issue in an atmosphere where there can be a give and take on ideas without loss of personal dignity. Young people should learn that all ideas thoughtfully expressed are entitled to thoughtful consideration. They should learn that respect for the individual includes respect for his right to an opinion that is not accepted by the majority. The student should feel free to explore any question that he feels a need to explore and to reach any conclusion upon an issue that fits the facts as he understands them, without any limitation except that imposed by intellectual honesty.

Freedom to teach implies: The right of the teacher to conduct his class in a climate of free speech, critical thinking, and independent judgment.

Correlative responsibilities: To set an example for students in his own search for truth, in his endeavor to find and evaluate all the pertinent evidence upon a question, in his respect for minority opinions, and his willingness to listen courteously to those who are unskilled in presenting their ideas.

IV.

Freedom to learn implies: The right to reach and express an opinion or hold values that may be different from those of other members of the class and from those of the teacher. The free contest of ideas is part of the democratic way of life. If the school interferes with the expression of unorthodox ideas by a student, students may come to regard suppression of free speech as normal and even desirable.

Freedom to teach implies: The right of the teacher to identify and express his own point of view in the classroom.

Correlative responsibilities: To remember always that students do not find it easy to develop the ability to think for themselves and to express their own opinions, particularly if these are different from those of the teacher or the majority of their classmates. To remember that the aim of democratic education is to teach students *how* to think, not *what* to think. To keep his own opinions in the background as much as is humanly possible until such time as the students have had ample opportunity to make up their minds. To be aware of his own bias and to refrain from dogmatic statements. To help students to see that there is usually no one *right* and *final* answer to a controversial question. To treat all ideas, groups, and individuals fairly.

V.

Freedom to learn implies: The right of the student to learn through taking part with individuals and groups who deal with practical problems of the school and the community. If learning is to have significance, it must be tested in application to the problems of everyday living.

Freedom to teach implies: The right of the teacher to participate in community affairs (including political action) on the same basis as other citizens. He is not required, because of his profession, to maintain a timorous silence. On the contrary, he has an obligation to use his special knowledge to advance ideas which he believes will be useful to the community.

Correlative responsibilities: To enlist the active help of responsible citizens when planning and carrying out projects for community improvement. To get the cooperation of responsible persons or agencies that are likely to be affected by community projects carried on by students. To

indicate when he speaks on a controversial issue that he does not necessarily speak for the institution that employs him. To avoid any commitments which interfere with his own free and unbiased pursuit of truth.

VI.

Freedom to learn implies: The right of the student to dignity and respect as a member of the community. Young people are entitled to be respected as individuals, respected for what they are and what they may become. They should be free from irresponsible charges of subversion and infantilism.

Freedom to teach implies: The right of the teacher to dignity and respect as a responsible member of the community. In his private capacity the teacher should be as free as any other citizen to participate in political, religious, and social movements and organizations and in any other lawful activity. He should be free to join with others to protect and advance group interests that are lawful and compatible with democratic traditions. He should not be subjected, as a condition of holding a teaching position, to a test of religious belief or of political belief, other than his pledge to support the Constitution of his state and of the United States.

Correlative responsibilities: To uphold democratic principles and to follow democratic methods in his relations with students, parents, colleagues, and the community at large. To follow a standard of personal conduct comparable to that expected of other professional workers in the community and a standard of public conduct harmonious with the responsibilities of the teaching profession.

Conclusion

The National Council for the Social Studies has faith that when young people have freedom to learn from competent teachers who are free to teach, they will, as a group, make decisions that support the values associated with our democratic republic. They will be able to define problems, gather evidence in relationship to these problems, consider what is best, and develop means appropriate to our democratic society for dealing with these problems. This task of training for effective citizenship is an essential part of our educational effort.

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1956

Action To Uphold Freedom To Learn and Freedom To Teach

This statement was prepared by members of the Committee on Academic Freedom as a complement to two earlier reports in the same general area: "The Treatment of Controversial Issues in the Schools," Social Education, May 1951; and "Freedom To Learn and Freedom To Teach," Social Education, May 1953. The names of the members of the Committee during 1953, 1954, and 1955 who drafted this report appear at the end of the statement. This listing of names does not necessarily imply approval of the contents in its entirety by every member of the Committee during the years of preparation.

We believe that most Americans agree with us in our conception of freedom to learn and freedom to teach. However, communication between the school and the community frequently is not good. Anything which aids the people in understanding what the schools are doing, and why they are doing it, will strengthen the position of the school and render attacks on individual teachers or programs less likely.

It is a definite responsibility of the teaching profession at all levels to be as certain as possible that there are no disloyal persons within its membership. Likewise it is a responsibility of the profession to oppose aggressively investigations that damage individual reputations and lower the morale of our teachers.

Whatever methods are chosen, either to prevent attacks or to meet them, should be democratically determined. The Committee on Academic Freedom of the National Council for the Social Studies suggests that the following procedures may increase the security of members of the teaching profession.

Preventive Action

1. Local teachers' organizations can do a number of things to protect their members.
   a. They can draw up their own statements on academic freedom and outline the rights and the responsibilities of freedom to teach and freedom to learn. They can work with board of education members, citizens, and administrators in formulating a philosophy of freedom to learn.
   b. They can urge that the locally drawn statements on freedom to learn be accepted as policy statements by the local boards of education.
   c. They may encourage representative community lay groups to study and to approve such statements.
   d. As an aid to teachers in evolving codes to prevent attack, they can use as guides the two previous statements of the Committee on Academic Freedom, "The Treatment of Controversial Issues in the Schools," and "Freedom To Learn and Freedom To Teach."
   e. As an interim measure, until local statements are formulated, teachers' groups can urge local boards of education to study and to approve as board policy these two previous statements.
   f. They can disseminate among their members information concerning attacks on freedom to teach and freedom to learn.
   g. They may consider the advisability of

maintaining a fund to be used for the defense of academic freedom.

2. A committee of a particular school faculty may draw up statements concerning the treatment of controversial issues. Such statements should be approved by the entire faculty and the administration.
3. The loyal, conscientious teacher should be protected by school administrators and local boards of education. It is desirable for such groups to take open stands in defense of freedom to learn and freedom to teach. Such support would strengthen the position of individual teachers. Efforts should be made to have school administrators and boards of education take such affirmative positions.
4. A number of states lack strong tenure provisions for teachers. Teacher organizations should continue to work for legislative action that provides such protection.
5. When dealing with controversial issues in the school, certain preparations should be made which may prevent difficulty.
   a. The teacher should be prepared. This is a prerequisite for all successful teaching. It is particularly important when dealing with controversial issues. The teacher must know his objectives. He must be a master of the content involved. He must have in mind the general teaching procedures to be employed.
   b. The students should be prepared. Duplicated outlines of objectives and materials can be helpful. They may prevent misinterpretation of what the teacher and pupils are trying to do.
   c. The administration should be prepared. The principal or superintendent should know beforehand what a teacher intends to do. He is then in a position to interpret this program to the community intelligently.
   d. The parents should be prepared. Use PTA meetings and notes to parents to explain how and why certain issues are studied.
   e. The community should be prepared. Problems can be presented to local service clubs, fraternal groups, and other organizations. School- or system-wide speakers' bureaus can provide well-prepared individuals to explain the school program.
   f. Units of study concerning controversial international issues should include a study of our own system as well as others. For example, unit titles such as "Capitalism and Its Competitors," and "Democracy and Communism," indicate this approach to the public.
6. Each department, school, or school system should develop a policy for the selection of instructional materials. Such a policy should be accepted by the Board of Education which bears the legal responsibility. The selection of teaching materials should be based upon criteria such as those outlined by this committee in its statement, "The Treatment of Controversial Issues in the Schools."
   a. Such a policy statement should be drawn with the advice of the professional staff and a lay advisory group established for this purpose.
   b. In developing social studies guides or curriculum materials a parent advisory council that meets with teachers and administrators can be helpful. However, leadership in the preparation of materials should be taken by the teachers.
   c. Social studies teachers or departments should implement a general policy statement by developing criteria to be used in the selection of texts and basic readings.
   d. Social studies teachers or departments should implement a general policy statement with specific criteria for the selection of materials published by special interest groups to be used in the classroom.

If Attack Comes

Despite preventive action a teacher may be the victim of unjustified attack. What can be done in such circumstances? The Committee on Academic Freedom believes these lines of action should be considered.

1. Teachers' groups should insist on those rights which were outlined by the American Association of University Professors over four years ago. They include: the accused teacher should be informed in writing of the charges against him; he should have an opportunity to be heard in his own defense; he should be

permitted to have an adviser or counsel of his own choosing.

2. Our entire system of justice is based on the premise that an accused person is presumed innocent until proven guilty. But sometimes that principle has been violated. In defending the accused teacher, stress should be placed on the fact that the burden of proof rests on the accuser.
3. An accused teacher should insist on the right of being confronted by his accusers.
4. Defense against an unjustified attack on a teacher or a department must be group defense. It may involve the faculty of a school, the local, state, or national social studies or education organization. If such defense calls for a group to study the problem at hand, such a group should be formed.
5. Publicity is the main weapon of the accuser. Teachers' groups should counteract it by selecting people who are responsible for trying to achieve greater publicity for the other sides of the story. The issues should be made clear to the public. Often the central issues are obscured by the attackers who may cover up personal animosity, prejudice, and fear by an attack on academic freedom.

Members of the Committee on Academic Freedom, 1953, 1954, or 1955:

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Resolutions on Academic Freedom, Controversial Issues, and Civil Rights Adopted by the House of Delegates

A resolution on academic freedom was jointly sponsored by the American Historical Association and the National Council for the Social Studies, and was adopted in 1964 by the NCSS House of Delegates at the 44th Annual Meeting of the Council in St. Louis, Missouri. The House of Delegates also took action on the presentation of controversial issues in social studies textbooks and on civil rights.

Academic Freedom

(Jointly sponsored by the American Historical Association and the National Council for the Social Studies)

WHEREAS, There are individuals and groups in our society who periodically attack teachers of history and the social studies, textbooks, and other teaching materials on the grounds they are subversive of the American way of life, and

WHEREAS, Attacks frequently take the form of irresponsible and malicious charges injurious to the reputation of teachers and authors of teaching materials, and

WHEREAS, Attacks tend to obstruct effective instruction, especially in controversial areas where all points of view call for discussion and analysis, and

WHEREAS, Those who initiate and support unwarranted and irresponsible attacks are motivated generally by the determination to have their own particular point of view accepted in the classroom, to the exclusion of all others, and

WHEREAS, Unfounded attacks have led to the dismissal of competent teachers and the removal of materials from the classroom;

Be it Therefore Resolved by the American Historical Association and the National Council for the Social Studies,

1. That intelligent and reasoned loyalty to the nation, no less than the requirements of honesty and sound scholarship, demand that teachers and authors of textbooks and other teaching materials should strive to present a truthful picture of the past and present, with due regard to the maturity levels of the students; and

2. That criticism of teachers, textbooks, and teaching materials should be based not upon grounds that reflect the point of view of any particular interest group, but only on the grounds of accuracy and scholarship as tested by consideration of the evidence; and

3. That the development in students of a scientific temper in history and the related social studies, of a spirit of critical inquiry accompanied by a necessity of confronting unpleasant facts, are far more important objectives than the teaching of special interpretations of particular events; and

4. That attempts by any individual or groups to impose their views on teachers and students as the only road to the truth and the only measure of loyalty are hostile to that great goal of American education which aims to produce independent and thoughtful men and women who are responsible and informed citizens.

To this End, Be it Further Resolved,

5. That the American Historical Association and the National Council for the Social Studies encourage the formation of Academic Freedom Committees in the local, regional, and state councils of the National Council for the Social Studies with a view to defending teachers and

students against capricious, arbitrary, and unreasonable attacks.

Further Resolution on Academic Freedom

Be it Resolved, That in support of the Statement on Academic Freedom jointly sponsored by the American Historical Association and the National Council for the Social Studies, the House of Delegates recommends the establishment of a permanent special committee consisting of all the members of the Executive Committee, plus the Chairman of the Academic Freedom Committee, who shall be empowered to act in the name of the Board of Directors in matters of Academic Freedom, and when requested by the local, state, or regional committee, to issue statements and publications, to conduct investigations, to furnish assistance and to report annually to the House of Delegates at the Annual Meeting; it being understood that in the absence of such local, state, or regional committee, an individual NCSS member may appeal directly to this special committee for such assistance as it can furnish.

Controversy in Social Studies Textbooks

WHEREAS, It is desirable that students base their judgments on a broad presentation of information offering a variety of interpretations regarding controversial issues in the social studies, and WHEREAS, Textbooks occupy a central position as the source of information for both teachers and students;

Be it Therefore Resolved, That the National Council for the Social Studies encourage the presentation of all controversial issues in textbooks as completely and from as varied points of view as is possible consistent with sound scholarship and reliable data, and

Be it Further Resolved, That the matter of final judgments and alternate interpretations be reserved as the prerogatives of teachers and students studying the textbook material, and judging its relevance for contemporary society, and

Be it Further Resolved, That this resolution be implemented by notifying the American Textbook Publishers Institute and all publishing companies which produce social studies materials encouraging presentation of a broad spectrum of ideas in areas where interpretations and solution cannot be regarded as conclusive.

Civil Rights

The members of the National Council for the Social Studies believe that the Constitution of the United States is for all the people, that all the people must receive equal rights and equal privileges, equal protection and equal justice, and that the right to protest against violations of these principles is a fundamental one;

Be it Therefore Resolved, That we as social studies teachers will accept the leadership and moral responsibility to espouse and teach that which is consistent with the democratic ideal and to urge full implementation of the civil rights law which was passed by the Congress of the United States.

1967

Academic Freedom: A Policy Statement

Prepared by the Academic Freedom Committee of the National Council for the Social Studies and approved by the NCSS Board of Directors in 1967. Names of the members of the Committee appear at the end of the statement.

Social Studies Materials in the Free Marketplace of Ideas

A diversity of points of view is essential to education in a democracy. Among the many reasons for this position are: (1) The "Free Marketplace of Ideas" is the source of raw material from which social and economic progress is created. All positions should be heard so that the best may be chosen. (2) Students should have an opportunity to consider and evaluate differing points of view in the classroom.

Therefore, it is incumbent upon every school administrator and social studies teacher to be vigilant in detecting encroachments upon diversity of viewpoints in the classroom and to be prepared to challenge successfully such threats.

It is recognized that citizens of a community have the right to examine and criticize school materials. In order to assist school personnel in handling complaints concerning social studies materials, procedures based on due process are recommended.

A Suggested Procedure for Handling Complaints Concerning Social Studies Materials

1. All criticisms or challenges of materials should be received courteously. The critic should be thanked for his or her interest in the education of the community's children. The name of the complainant should be requested.

2. If the complainant identifies himself, he should then be informed that a procedure has been established and a "Request for reconsideration of materials" form must be completed and submitted. A form letter outlining the school policy should be available with a "Request" form attached. The need for obtaining specific information should be emphasized as essential to a speedy resolution of the complaint or the problem.

3. After the written complaint is formally received, a responsible administrator should consult with the teacher concerned, check the material, and make a judgment. The official position of the school should be explained to all parties concerned.

4. If the administrator feels that there may be a serious public reaction or that there is some validity to the complaint, a committee should be formed to study and consider the formal complaint. At this point, the teacher and the complainant should be invited to participate in the committee meetings. It is advisable to create a standing committee to investigate complaints.

5. If the committee report does not end the criticism, the superintendent should be apprised of the situation and urged to issue a statement in the defense of the committee decision.

6. Establish policy: It is recommended that the above procedure and the following suggested model of a request form be submitted for adoption by NCSS members to their respective boards of education.

(See Suggested Model on page 40)

SUGGESTED MODEL

Request for Reconsideration of Social Studies Materials

Type of material (book, film, pamphlet, etc.):
Title of material:
Author (if known):
Publisher:
Date of Publication:
Request initiated by (name, address, phone number):
Do you have a child in school concerned?
Complainant represents: (himself)
(organization—name)
(other group—identify)

1. To what in the material do you object? (Please be specific. Cite words, pages, and nature of content.)
2. Why do you object to this material?
3. Are you acquainted with the range of materials being used in the school system on this general topic?
4. Do you approve of presenting a diversity of points of view in the classroom?
5. What would you like your school to do about this material?
   (a) Do not expose or assign it to my child.
   (b) Withdraw it from all students as well as my child.
   (c) Send it back to the appropriate school department for re-evaluation.

Signature of Complainant:
Date:

Members of the Academic Freedom Committee:
Richard Perchlik, *Chairperson*
William M. Hering, Jr., *Associate Chairperson*
William F. Eagan
Joyce Fadem
William Hartman
Charles Hirsh
Gregg Millett
Robert Newman
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Charles D. Tanzer
Irma Warta
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1969

Academic Freedom and the Social Studies Teacher

Prepared by the Academic Freedom Committee of the National Council for the Social Studies and approved by the Board of Directors in 1969. Names of the members of the Committee appear at the end of the statement.

I. Preface

*Democracy is a way of life that prizes alternatives. Alternatives mean that people must make choices. Wisdom with which to make choices can come only if there are freedom of speech, of press, of assembly, and of teaching. They protect the people in their right to hear, to read, to discuss, and to reach judgments according to individual conscience. Without the possession and the exercise of these rights, self-government is impossible.**

A teacher's academic freedom is his right and responsibility to study, investigate, present, interpret, and discuss all the relevant facts and ideas in the field of his professional competence. This freedom implies no limitations other than those imposed by generally accepted standards of scholarship. As a professional, the teacher strives to maintain a spirit of free inquiry, open-mindedness, and impartiality in his classroom. As a member of an academic community, however, he is free to present in the field of his professional competence his own opinions or convictions and with them the premises from which they are derived.

The democratic way of life depends for its very existence upon the free contest and examination of ideas. In the field of social studies, controversial issues must be studied in the classroom without the assumption that they are settled in advance or there is only one "right" answer in matters of dispute. The social studies teacher is obligated to approach such issues in a spirit of critical inquiry rather than advocacy.

The central issue in considering a teacher's fitness is the quality of his performance in the classroom and his relationship with his students. A teacher's personal religious, political, social, and economic beliefs should not be criteria for evaluating his professional competence.

Like any other professional or non-professional worker, the teacher should be free to organize with others to protect his interests and to join or not to join professional associations and unions for such purposes. Any attempt to prevent the establishment of such an organization, to hamper its activities or to discriminate against its members, is a serious infringement on the freedom of teachers.

In his private capacity the teacher should be as free as any other citizen to participate in political, religious, and social movements and organizations, and in any other lawful activity; and to hold and to express publicly his views. The fact that he is a teacher must not exclude him from activities open to other citizens; on the contrary, his position imposes on him the two-fold duty of advancing new and useful ideas and of helping to discard those which are outworn.

II. The Study of Controversial Issues

Freedom means choice. The democratic process is concerned with the ways in which individuals and groups in a free society grapple with problems, resolve conflicting opinions, and se-

*Committee on Academic Freedom, National Council for the Social Studies, "Freedom To Learn and Freedom To Teach," *Social Education*, Vol. XVII, No. 5 (May, 1953), pp. 217–19.

lect among alternatives. Such decisions involve values and goals as well as procedures and facts.

It is the prime responsibility of the schools to help students assume the responsibilities of democratic citizenship. To do this, education must impart the skills needed for intelligent study and orderly resolution of the problems inherent in a democratic society. Students need to study issues upon which there is disagreement and to practice analyzing problems, gathering and organizing facts, discriminating between facts and opinions, discussing differing viewpoints, and drawing tentative conclusions. It is the clear obligation of schools to promote full and free contemplation of controversial issues and to foster appreciation of the role of controversy as an instrument of progress in a democracy.

The study of controversial issues should develop the following skills and attitudes:

1. The desire and ability to study relevant problems and to make intelligent choices from alternatives.
2. The desire and ability to use rational methods in considering significant issues.
3. The willingness to recognize that differing viewpoints are valuable and normal.
4. The recognition that reasonable compromise is often an important part of the democratic decision-making process.
5. The skill of analyzing and evaluating sources of information—recognizing propaganda, half truths, and bias.

III. The Rights and Responsibilities of Teachers

The American academic tradition which stresses the free contest of ideas is at the very heart of curriculum development and classroom teaching. Hence, teachers have special rights and bear special responsibilities. It is the right of teachers:

To participate in the development of curriculum and the selection of teaching materials.

To select for classroom study controversial issues related to the curriculum and appropriate to the maturity, and intellectual and emotional capacities of the students.

To have access to adequate instructional resources so that all sides of an issue can be presented adequately.

To call upon teaching colleagues, administrators and professional organizations for assistance and advice.

To have a written policy furnished by the local Board of Education which:
a) clearly states the right of students to learn and of teachers to teach
b) provides guidelines and safeguards for the study of controversial issues
c) details procedures for investigating criticism of the study of controversial issues
d) insures fair procedures and due process should complaints arise about materials or methods of instruction.

To teach in his area of academic competence without regard to his personal beliefs, race, sex, or ethnic origin.

To express his own point of view in the classroom as long as he clearly indicates it is his opinion and is willing to explain his position.

To work in a climate conducive to rational and free inquiry.

To have his professional competence in dealing with controversial issues judged with reference to the context within which any specific activity occurred.

To exercise his rights as a citizen including the rights to support any side of an issue or any candidate for public office, and to seek and to hold partisan and nonpartisan public and professional positions.

It is the responsibility of teachers:

To insure every student his right to confront and study controversial issues.

To protect the right of every student to identify, express, and defend his opinions without penalty.

To establish with their students the ground rules for the study of issues within the classroom.

To promote the fair representation of differing points of view on all issues studied.

To insure that classroom activities do not adversely reflect upon any individual or group because of race, creed, sex, or ethnic origin.

To teach students *how* to think, not *what* to think.

To adhere to the written policy concerning academic freedom established by the Board of Education.

To give students full and fair consideration when they take issue with teaching strategies, materials, course requirements, or evaluation procedures.

To exemplify objectivity in the search for truth, to demonstrate respect for minority opinion, and to recognize the function of dissent in the democratic process.

IV. Threats to Academic Freedom

Actions leading to a loss of academic freedom can be classified as those involving the teacher, educational materials, the curriculum, and resource personnel.

A. The Teacher

The academic freedom of the teacher may be abrogated by a number of situations.

Teachers may censor themselves in anticipation of possible negative reactions and avoid study of germane issues which are likely to generate controversy. They may react to attention, criticism, or pressures from the community at large or from their peers by becoming timorous. Such subtle withdrawal of the teacher from the battle of ideas is an abdication which diminishes the reality of academic freedom for all teachers.

Whenever opportunities for professional development are granted to some and denied to others in similar circumstances, the basis for decision may involve issues of academic freedom. That academic freedom is indeed the issue in any or all such cases should not be presumed. However, the obligation to scrutinize the procedures used, the basis for the decisions, and the validity of the procedures themselves to see if academic freedom has been breached must not be abdicated by responsible members of the academic community.

Even though an individual teacher may not protest, it is the responsibility of the profession to remain alert to possible infringements upon academic freedom. Loss of academic freedom by one member of the profession diminishes the freedom of all.

Legislative and administrative investigations have a place in our decision-making processes when correctly used and when the basic rights of the individual are protected. However, proceedings which call upon the teacher to testify publicly about beliefs and past associations may have a coercive influence. In addition to pressures which may be brought to bear upon individuals, there are actions which endanger the entire academic community. These include legislative and administrative investigations which single out the teaching profession as a special group.

B. Educational Materials

The availability of adequate and diversified materials is essential to academic freedom. Selection, exclusion, or alteration of materials may infringe upon academic freedom. Official lists of supplementary "materials approved" for classroom use, school library purchases, or school book shops may also restrict academic freedom. Actively involving teachers in selection procedures based on written criteria to which all interested persons have access is an essential safeguard.

Because textbooks are the most common resource used in the classroom, there is a continuous struggle to control their selection. In states which use the "approved list" method of textbook selection, the school's freedom of choice is obviously limited. However, even in states which leave textbook selection to local districts, pressures from individuals or special interest groups may circumscribe freedom to teach and to learn.

C. Curriculum and Content

Subject matter selection strikes at the very heart of freedom in education. The genius of democracy is willingness to generate wisdom through the consideration of the many different alternatives available. Any pressure which restricts the responsible treatment of issues limits the exercise of academic freedom. Similarly, the mandating of curriculum or content by legislative action or legally established agencies presents a potential threat to academic freedom. When such mandates are based on the prevailing political temper, parochial attitudes, or the passions of a specific point in time, they are especially dangerous.

D. Visiting Speakers

Visiting speakers, a valuable supplement to regular school programs, may be of specific persuasion and their topic may be controversial in nature. If they are prohibited from speaking because of their point of view, academic freedom is endangered. The process of selecting speak-

ers, like that of evaluating other educational resources, should involve the participation of teachers.

V. How Academic Freedom Can Be Preserved

If the public is adequately involved in and informed about the operation of the schools, their objectives, and procedures, strong support for academic freedom can be maintained. Teachers must, therefore, establish and utilize clear lines of communication with their students, and community and the media. When, however, the media serve as vehicles for attacks on academic freedom, the academic community should respond.

Academic freedom, like the freedoms of speech, press, and religion, is not absolute. Although educators have the primary responsibility for the teaching and learning process, they are not the only members of the community interested in or responsible for quality education. All criticism of schools is not necessarily unfair, undemocratic, or an attack upon academic freedom. Attempts to influence policy decisions as to what and how students learn and what and how they are taught are legitimate. These attempts must not, however, infringe upon the rights of others nor preempt the professional responsibilities of the teacher.

Many issues can be resolved by informal procedures. However, academic freedom, like all other freedoms, is safeguarded by established, orderly, and fair procedures for the resolution of disputes. It is fundamental that all charges must be substantiated and that the burden of proof rests upon the accuser. The accused must be informed of all charges and evidence against him and be given full opportunity to respond. Nontenured teachers and student teachers should be given the same considerations as are their established colleagues when questions concerning academic freedom are raised.

When academic freedom is threatened, local support should be sought. Citizens in the community and local organizations or affiliates of national organizations have the primary interest and responsibility for protecting education in their communities. The PTA, local law schools, local and state colleges and universities, and the State Departments of Education are among the sources of local support. Furthermore, when an issue of academic freedom arises, securing legal or competent extra-legal advice is an essential step in guarding against a possibly unfair resolution of the problem.

If local support is ineffective or inadequate, assistance from national sources should be sought. There are many national organizations that are interested in preserving academic freedom as well as in improving the quality of the schools. In addition to the National Council for the Social Studies, they include:

1. American Association of School Librarians
2. American Association of University Professors
3. American Bar Association
4. American Civil Liberties Union
5. American Federation of Teachers
6. American Historical Association
7. American Library Association
8. National Council of Teachers of English
9. National Education Association

These suggestions are not intended to be exhaustive, but rather to indicate that a person under attack is not alone and that there are sources available from which assistance may be obtained.

Academic freedom is neither easily defined nor can it always be protected. Documents such as this, while valuable as a guideline, do not presume to constitute sufficient guarantees. Only continuing concern, commitment, and action by teachers, administrators, school boards, professional organizations, students, and the citizenry can insure the reality of academic freedom in a changing society.

Prepared by the Academic Freedom Committee of the National Council for the Social Studies*

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1974

NCSS Position Statement on the Freedom To Teach and the Freedom To Learn

This statement was prepared by the Academic Freedom Committee under the leadership of Todd Clark, James P. Shaver, Joan T. Alcorn, and Stanley P. Wronski. It was approved by the National Council for the Social Studies Board of Directors in 1974.

Basic to a democratic society are the freedoms of teachers to teach and of students to learn. Especially as they apply to pre-collegiate public education, court decisions, unfortunately, have not consistently supported these rights throughout the nation. It will take many years of litigation to delineate precisely the areas of teaching and learning that are protected. The present lack of judicial clarity places a heavy burden of responsibility on pre-collegiate educators. And their professional organizations have special responsibilities to provide statements on these freedoms, as well as assistance, legal and otherwise, for teachers willing to risk careers to exercise their freedom to teach and to protect their students' freedom to learn.

A teacher's freedom to teach involves both the right *and* the responsibility to use the highest intellectual standards in studying, investigating, presenting, interpreting, and discussing facts and ideas relevant to his or her field of professional competence. As professionals, teachers must be free to examine controversial issues openly in the classroom. The right to do so is based on the democratic commitment to open inquiry and on the importance to decision-making of the expression of opposing informed views and the free examination of ideas. The teacher is professionally obligated to maintain a spirit of free inquiry, open-mindedness, and impartiality in the classroom.

Many state legislatures, boards of education, and school administrators have shown disregard for the teacher's professional role in dealing with controversy in the classroom. Consequently, it is important that the National Council for the Social Studies, as a professional organization, act forcefully to insure teachers a significant role in determining educational policy. If the freedom to teach is to be meaningful, teachers must participate in decisions regarding the organization, presentation, and evaluation of instruction and in determining the competency of other teachers and administrators. The same is true of the freedom to learn: Commitment to it demands student involvement in curricular decisions, even in the evaluation of instruction.

Although the central concerns in evaluating teachers should be the quality of their performance in their classrooms and their relationships with their students, teachers should be encouraged to participate in community affairs. Such participation is important in its own right as well as for the modeling of active citizenship for students. Such participation is, indeed, a part of the freedom to teach; and to encourage it, boards of education must make clear that judgments of professional competence will not be biased by the teachers' personal religious, political, social and/or economic beliefs. In light of their role as agents of a democratic society, teachers' expressions must stop short of advocating the use of violence to achieve social or political change, but the legitimacy of the use of violence must still be considered a legitimate topic for classroom discussion. Boards of education and professional organizations have an obligation to protect teachers from unjustified attacks based on classroom performance or community participation. Dispatching the obligation calls for the

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education of members of the community, including students, concerning the legitimate roles of teachers as professional educators and concerned citizens, as well as support, moral and financial, for teachers when such attacks occur.

Ultimately, freedom to teach and to learn will exist only if a continuing effort is made to educate all Americans regarding these important freedoms. Professional educators must set an example in their communities that illustrates their respect for schools and classrooms as a free marketplace of ideas as well as an appreciation for the concerns of parents and other members of the community who legitimately disagree. By showing our faith as educators in the clash of opposing viewpoints, we can hope to achieve a society that functions according to this precept.

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